THE EXAMINER.

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THE POLITICAL EXAMINER.

Party is the madness of many for the gain of a few. SWIFT.

No. 167.

LORD FOLKSTONE'S MOTION RESPECTING EX-OFFICIO PROSECUTIONS.

The motions of Lords HOLLAND and FOLKESTONE in the respective Houses of Parliament upon the abuse of *ex-officio* informations, and the numerous remarks and details that have appeared on the same subject in the public papers both before and after those motions, have made the public so well acquainted with it, that a mere repetition of the circumstances would be equally tiresome and useless. Our readers perhaps have not yet forgotten the observations made in this Paper on the debate that followed Lord HOLLAND's motion, and on the unbecoming figure which his gravest opponents cut on that memorable occasion. The motion of Lord FOLKESTONE, as it had the same end, met with the same failure; and to prove how those failures originate and how certain they are in their operation, was encountered with the same impotence of argument. Ministerial majorities have long bidden adieu to reasoning: indeed so utter is their indifference about the matter, that it would seem as if they purposely abstained from making use of it, in order to shew us how little it is necessary to their success. This was eminently exemplified in the present instance. Lord FOLKESTONE entered upon the subject with the earnestness and information that became it's importance: he noticed the principal branches into which the arguments divided themselves: he produced a number of distinct reasons for his motion, grounded on facts in the conduct of the Attorney-General:—he submitted unreservedly these facts to the consideration of the House, and if possible, to the contradiction of the Attorney-General;—and he asked, after all, for nothing more than an opportunity to let the House judge better for themselves by a sight of the documents and records from which he himself had gathered his information. Now in what manner did the Attorney-General think fit to controvert the necessity of the motion? Did he follow the Noble Lord through the various branches of his argument, to shew how rotten they were? Did he analyse his Lordship's reasoning, to prove that it was made up of nothing? Did he controvert the facts produced, nay, did he even *attempt* to controvert the most important of them? In fine, did he recommend the House to agree to the motion, in order that no investigation might be wanting to the leniency, the impartiality, and the *conscious* integrity of his official conduct?—No; he did not a jot of all this. All that he did, was to take no notice of the most important arguments brought forward; to dwell upon trifles which no one had controverted; to introduce and gravely refute arguments that nobody had brought against him; and to assure the House that he was an ill-used gentleman whose part they ought to take and whose innocence they ought to ratify, by making no inquiry into the matter. That this is no exaggeration may be seen in an instant by opposing the main points in the speeches of Lord FOLKESTONE and Sir VICARY; for after all, the debate resolved itself, as the latter very well knew it would, into a matter of accusation on the one part, and vague denial on the other:—Sir VICARY's friends, confident of the result, let the reasoning be what it might, argued as little for him as he did for himself; and the truth is to be gathered not from what he or his advocates said on the occasion, but from what they omitted to say.

The principal grounds upon which his Lordship brought forward his motion were four—one general and three particular:—1st. The great liability to abuse which is natural to such inordinate power in the hands of an individual; as for instance, the power of holding to bail any person whom the Attorney-General chuses to think guilty of libel; and the power of putting such person to expense and anxiety, without bringing him to his trial at last.—2d. The fact of a more than seven-fold increase of prosecutions during the last three years, proof of which was brought by his Lordship, and acknowledged by the Attorney-General, who since his entrance upon office in 1808, has instituted forty-two informations, whereas from 1801 to 1806, there had been but fourteen, and in 1807, there was not one.—3d. The actual abuse of his power by the present Attorney-General with regard to the writers thus prosecuted, as in putting into practise the means of annoyance above mentioned.—4th. The gross partiality of that Officer with regard to the writers whom he does *not* prosecute, that is to say, with regard to the writers on the side of Government, who may publish with impunity what would be sure to bring an opposite writer into the Court of King's Bench. Of this, ample proof has been produced from the *Courier* and *Morning Post*; so ample, indeed, and glaring, that "the real rule" said Lord FOLKESTONE, "which guided prosecutions is this:—the *Courier* and the other papers who support the Ministers of the day, may say whatever they please, without fear of prosecution; whereas the publications that take the contrary line, are sure to be prosecuted for expressions that are not so strong." On these grounds his Lordship moved for "an account of all informations Ex-officio, filed since the 1st of January, 1801, together with all proceedings had thereon, specifying also the dates on which such proceedings took place." It was not supposed,

for an instant, out of doors, that this motion would succeed; still less could such an event, so just and so anti-ministerial, be anticipated within the House; but many persons, who had heard a good account of Sir VICARY's natural inclination to be generous, and who fondly supposed that he could rouse himself to a little official magnanimity, did expect that he would have thrown no obstacle in the way of that success; that he would have exhibited no such soreness and shrinking, in the first instance, as should induce his friends to shield him from further examination;—in a word, that he would himself have recommended the motion to the House, and said "As this is a matter which cannot be satisfactorily determined without general investigation, I have nothing to hope at present but that such an investigation may take place, and therefore I give my hearty vote for the production of the papers."—But what fancies were these? Sir VICARY's passion for inquiry is confined to a sphere where he can investigate the conduct of others and be unexamined himself; and the Africans might as soon expect to make a jackall speak and call him to account for his depredations, as the people of this country look for a voluntary disclosure of his proceedings from this obsequious servant of the Crown. Accordingly, his answer to Lord FOLKESTONE was no answer at all: it consisted of vague assertions of his integrity; and literally took no notice of the principal parts of accusation, exhibiting, as Sir FRANCIS BURDETT well observed, "that skill which was peculiarly characteristic of his profession, by cautiously abstaining from taking into his consideration any of the most important topics that had been brought forward." Of the first ground of his Lordship's motion, stating the necessity of enquiring into the general nature of the Attorney-General's duties or pretended duties, he says nothing, except that *many* of the topics touched upon by the Noble Lord appear to him to have no sort of bearing upon the real question. Of the *second*, respecting the increase of prosecutions in the space of three years from two in a year to fourteen, he thinks nothing, because of the great quantity of newspapers; and his friend Mr. STEPHEN seems to regard the great increase of late years in the number of newspapers, as a triumphant reason for the host of informations; but they both take care not to let us know what they mean by "late years," well aware that it is within these *ten*, and not these *three* years that newspapers have so materially increased, and that the argument has no application whatever to Sir VICARY's wanton propagations during these three years. The *third* ground, respecting the manifest abuse of his powers, in putting people to expense and vexation, and then never trying them, he answers by stating that some of them had made him *apologies* (apologies to *him* for public offences that are said to hazard the safety of the state!) and that others he let go because the temper of the public mind made it dangerous for him to proceed against them. Lastly, upon the *fourth* ground, that of making a general and [illegible] difference between the Ministerial papers and those on other sides of the question, *he says not a word*:—no: this business was too gross even for his sophistry to defend; and when he is told of the *Courier*'s abuse of the PRINCESS and the *Morning Post*'s effusions about the "base hearts" in the House of Commons who "vote *against the King*," he knows very well that he must either hold his tongue, or confess at once that he did not chuse to prosecute those who supported his friends the Ministers. Nevertheless, that he might have something to say on the occasion, and make Lord FOLKESTONE blush for the "many topics" he had introduced that had "no sort of bearing upon the real question," he runs into a variety of extraneous remarks respecting the conduct of Judges and Juries; takes great pains to repel charges which were not brought against him; and as a proof of his great leniency and the horror he has of holding annoyances over people's heads, stated with a noble confidence, that "no instance could be stated of any case in which he had filed an information, in which a single term had elapsed from"—what? cries the reader; "from the information to the trial of the accused?"—No:—"from the publication of the libel to the *information!*"—A delicious piece of humanity certainly! He accuses people of being traitors, puts them to great expense and inconvenience, and makes them suffer as much as he can without bringing them to trial, and then boasts of having commenced this train of operations as soon as possible! The whole of Sir VICARY's speech, as reported in the newspapers, was indeed so finished a specimen of the inconclusive and absurd, that if he had thought fit to publish the main points of it himself, he might thus have drawn up the abridgment:—

Substance of a Speech delivered in the House of Commons on Thursday March 28th, by Sir VICARY GIBBS, Knt. Attorney-General of our Lord the King, in answer to a motion made by the Right Hon. the Lord FOLKESTONE, for the production of certain law papers.

SIR,—This is a motion brought not for the purposes of justice, but for the annoyance of myself:—but I care not about it, and therefore shall oppose it with all my might and main. If my conduct in office has been wrong and oppressive, I know that I am "*deeply responsible*" for it; but I know also that the Ministers are on my side, and that they, being responsible to nobody, render me perfectly secure, and in fact, as irresponsible as themselves. Sir, I am accused of having increased, since 1807, the number of Ex-officio Informations from two a-year to fourteen a-year; but, Sir, consider the great increase of newspapers of late years; and be pleased to forget at the same time that that great increase took place before my time. I am also accused of putting people to expense and inconvenience and then not bringing them to trial; but, Sir, some of these people, who have all been guilty of offences of the utmost danger to the state, have made apologies to me in private; and the others, who have made no apologies, have had, I find, the right on their side, and therefore how could I think of bringing them to trial? But this is not all of which the malice of my enemies accuse me. They do not hesitate to say,—to say—Sir, I say they do not hesitate to say, that——(aside, No, I had better not mention the charge of partiality;—I must drop the *Courier* and *Post*.)—Sir, I say as I just now said, that they do not hesitate to say, that I have an appetite for filthy lucre,—for paltry fees, Sir,—for the paltry and dirty fees which I am now rich enough to despise; as if every liberal-minded

man, yes, Sir, every man acquainted with history and with human nature, were not convinced, that it was for public *writers* only, not for men in office, to be greedy of filthy lucre. Office always makes men disinterested; but writing, Sir, contracts the mind, especially writing on what is called the independent side. In a word, Sir, I assure the House I am innocent of every thing laid to my charge; and therefore as I give you my word, there is no need that I should shew you my papers. At the same time, "the Noble Lord will do me the justice to allow that there was no impediment whatever thrown in the way of his motion: he had access, as he had an undoubted right to have, to all the records which could be serviceable to him; and the persons in whose custody they were placed, had positive directions to give him every assistance they could, by pointing out to him the particular parts of the records to which his inquiries were directed:" yes, Sir, every assistance:—my generosity would not allow me to obstruct him in the sight of those papers: all that is necessary for my innocence and reputation, is to hinder him, if I can, from using his knowledge of them with any effect. Having so done, by the help of my Hon. and Learned Friends the Ministers, I sat down, with an exquisite calmness and magnanimity, conscious of having done my duty, and prepared for any of the reverses which fortune may be pleased to shew me.

Lord FOLKESTONE's motion, however, though it carried nothing in the House, has had it's effect out of doors, and is probably not without it's impression on Sir VICARY himself, who now sees the difference between such defences as that which Mr. BROUGHAM made for the *Examiner*, and that which the prosecutors of the *Examiner* make for themselves. Had a person accused in court made such a defence of himself, the Attorney-General would have emptied over it the whole pepper-box of his sarcasm. It would appear indeed, that even his Ministerial friends are aware of his sorry figure on the occasion, if the report is true, which has been lately renewed,—that he is to give up his Attorney-Generalship for a seat on the bench in room of Sir JAMES MANSFIELD. The change is not unlikely, for an elevation in rank is the usual mode by which a person obnoxious to the people is remunerated for his odium. But the appointment of a man to the office of Judge seems too often to be made with no good reason for it but his skill in the law: whereas there is no situation in society, not even that of a divine, which requires so many moral qualifications and such unalloyed dignity of nature; and it would certainly be a question with great numbers of people, whether a person ought in decency to be constituted an arbiter between his fellow-creatures, who is notorious for bad temper. Is a certain Learned Lord aware, that the indecent irritability lately manifested by him in public, has excited a very general and serious condemnation of his conduct? In many, a confirmation of their suspicions of him? In more, a total change in their opinion of him? And in every impartial person, this natural and just conclusion,—that a Judge who shews himself liable to gusts of passion and resentment, shews himself unfit for the bench?—Certain it is, that prove the habit of being moved by trifles, and you prove the unfitness for settling things important. Severity is another thing; roughness is another thing; but passion or bad temper takes away all dignity and justice; and it will convert the very defence or difference of an opinion into personal hostility.

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FOREIGN INTELLIGENCE.

FRANCE.

PARIS, MARCH 30.—On Sunday his Majesty the Emperor and King, seated on his throne, and surrounded by the Princes, &c. gave audience to the Deputation from Hamburgh, Lubeck, and Bremen. Mr. Doorman, as President of the Deputation, presented an Address, which stated that the inhabitants of those cities had at all times been Frenchmen in their hearts.—To which the Emperor made the following reply:—

"Gentlemen, Deputies of the Hanse Towns of Hamburg, Bremen, and Lubeck—You formed part of the Germanic Empire; your Constitution terminated with its existence. Since that time your situation was uncertain. I intended to reconstitute your cities under an independent administration, when the changes produced in the world by the new laws of the British Council rendered the project impracticable. It was impossible for me to give you an independent Administration, since you could no longer have an independent flag. The Decrees of Berlin and Milan are the fundamental laws of my empire. They cease only to have effect as to those nations which defend their sovereignty, and maintain the religion of their flag. England is in a state of blockade as to those nations which submit to the Orders of 1806, because the flags thus submitting to the English laws are denationalized; they are English. Those nations, on the contrary, which feel their own dignity, and find in their courage and power sufficient resources to disregard the blockade by notification, commonly called a paper blockade, and to approach all the ports of my empire, except those under real blockade, according to the known usage and the stipulations of the treaty of Utrecht, may hold communication with England. As to them, England is not blockaded. The Decrees of Berlin and Milan, flowing from the nature of things, shall continue to form the public code of my empire, as long as England maintains her Orders in Council of 1806 and 1807, and violates the stipulations of the treaty of Utrecht upon this subject. England acts upon the principle of seizing the enemy's merchandize, under whatever flag it might be. The empire has been compelled to admit the principle of seizing English merchandize, or proceeding from the commerce of England, in whatever territory it may be. England seizes in every sea the passengers, merchants, and carriers belonging to the nation she is at war with. France is compelled to seize the English travellers, merchants, and carriers, in whatever part of the Continent they may be, and wheresoever she can reach them; and if in this system there be any thing little consonant to the spirit of the age, it is the injustice of the new English laws that must be charged with it. I have been pleased to enter into these explanations with you, to convince you that your union with the empire is the necessary result of the British laws of 1806 and 1807, and not the effect of any ambitious calculation. In my civil laws you will find a protection, which, in your maritime position, you can no longer find in the political code. That maritime commerce, which constituted your prosperity, cannot henceforth be revived, but in conjunction with the restoration of my maritime power. The rights of nations, the liberty of the seas, and a general peace, must be re-conquered at one and the same time. When I shall have upwards of 100 sail of the line, I shall subjugate England in a few campaigns. The seamen of your coasts, and the materials conveyed to the mouths of your rivers, are necessary to my purpose. France, within her old limits, could not construct a marine in time of war. When her coasts were blockaded, she was compelled to receive the law. Now, from the increase my empire has received within the last six years, I can build, equip, and arm 25 sail of the line yearly, without the slightest delay or obstruction from the existence of a maritime war.—The accounts that have been given me of the good disposition which animates your fellow-citizens have afforded me pleasure; and I hope, in a short time, to have to praise the zeal and bravery of your seamen."

INTELLIGENCE FROM THE ARMY IN SPAIN.

CADIZ.—The Duke of Belluno continues with the greatest activity the immense works for the siege of Cadiz. The Napoleon battery every day throws bombs with the greatest success; there is no point in the town that is out of their reach. The discontent of the people becomes excessive; no more money arrives from America; domiciliary visits have been ordered for the discovery of plate in private houses, which, as well as that belonging to the churches, is to be sent to the Mint.—The neighbouring provinces are tranquil.—Wellesley, by means of gold and intrigues, has collected at Cadiz about sixty individuals, who, without bread, and without employment, have assumed the pompous title of the Cortes of Spain. The principal demagogues, who have since their union publicly professed the principles of Jacobinism, have excited the hatred and indignation of all true Spaniards. The eyes of the latter are at last opened; they perceive the precipice in which the English seek to plunge their country. The English Administration could have taken no measure more calculated to attach all good Spaniards to the cause of France.—These idiots, willing to raise a Spanish Republic, have commenced by establishing an undefined liberty of the press; they have avowed principles which would not be tolerated in the most turbulent taverns in London.

BADAJOZ.—The siege of this fortress has drawn all the attention of the enemy. All the Spanish corps which had joined the English army at Lisbon, Villa Franca, and Abrantes, were put under the command of Carrera, and sent by forced marches to relieve Badajoz.—On the 7th, the enemy's garrison, 1200 strong, ventured a general *sortie*, in hopes of raising the siege. The enemy could not stand the charges of our brave fellows; he was completely routed, although the Commanders tried to rally their men; they were pursued at the point of the bayonet to the glacis. He left 300 dead and 100 prisoners, and had 120 wounded in the affair.—General Gazan has been successful in his pursuit of Ballasteros's corps. On the 25th of February he came up with him at Villa Nova de Castellegois, where he was surprised and attacked with impetuosity; his position forced, and his troops so roughly handled, that very few were able to gain security by retiring across the Guadiana. The remainder were killed, taken, and dispersed, without arms or baggage, and the survivors determined to serve no longer.—On the 19th of February, the Duke of Dalmatia crossed the Guadiana, surprised the camp of Carrera at the break of day, seized his magazines, baggage, and artillery, consisting of 30 pieces of cannon.—Of 10,000 men, which Carrera commanded, 2000 were killed, 5000 taken, and the rest dispersed. Three Spanish Generals were killed, and two made prisoners.—This is the fate of Romana's corps, which is now annihilated.—There is every reason to hope, that in the first days of March, the place will either have capitulated, or be taken by assault. According to their custom, the English remained spectators of the destruction of their Allies.

SWEDEN.

TEMPORARY RESIGNATION OF THE KING.

We Charles, by the grace of God, King of Sweden, &c. &c. Make known, whereas, owing to an illness that has befallen us, and from which, by the assistance of the Almighty, we hope soon to be restored, we have deemed it necessary, in order to promote this object, for the present to withdraw ourselves from the care and trouble which are so closely united with the management of public affairs, and in order, during our illness not to retard the progress of affairs, we have thought fit to order what is to be observed respecting the Government; and having at the same time found that the States of the kingdom, on drawing up the constitution, have, only from tender motives towards us, not pointed out how and in what manner, as in the present case, the Government is to be managed during the illness of the King, when the successor is of age, we have therefore thought that we could in no better way fulfil our obligations towards ourselves and the kingdom than by entrusting the care of both to a Prince, who, being intended one day to be seated on the throne of Sweden, has, by the ties of nature and friendship, become most dear to us, and who unites in his person the love of us and of the Swedish people.—And we do, therefore, hereby appoint and nominate our beloved Son, his Royal Highness Carl Johan, Crown Prince of Sweden and Generalissimo of our Military Forces by land and sea, during our illness, and until we shall be restored to health, to manage the Government in our name, and in all the rights we possess, and alone to sign and issue all Orders, &c. with the following motto above the signature;—"During the illness of my most gracious King and Lord, and agreeable to his appointment."—However, his Royal Highness the Crown Prince must not, during the administration of our Royal Power and Dignity, create any Nobleman, Baron, or Count, or bestow on any one the orders of Knighthood. All vacant Offices of State can only, until further orders, be managed by those whom his Royal Highness shall appoint for that purpose.

We rest assured that our faithful subjects will joyfully receive the resolution thus taken by us, which gives an unexceptionable proof of our unlimited confidence in our well-beloved son, his Royal Highness the Crown Prince, and of the sentiments which we have always entertained, and which we never shall cease but with our life to entertain, for the people, the government of whom Providence has confined to us. This serves for the information of all and every one concerned; in further testimony whereof we have signed these presents, and caused the same to be sanctioned by our Royal seal.

Palace of Stockholm, March 17. CHARLES (L. S.)
JAF. WETTERSTEDT.

PROVINCIAL INTELLIGENCE.

Wm. Townley was executed on Wednesday week, at Gloucester, for burglary. He was turned off a few minutes before two o'clock, in presence of a vast concourse of people, and apparently experienced no protracted suffering. On Friday se'nnight (says the Bath paper) "a reprieve for the above man was put into the post-office of Hereford, addressed, *by mistake*, to ——— Wilson, Esq., Under Sheriff, Herefordshire, instead of Gloucestershire, some time after the post letters for that night had been delivered out, and of course remained there till next morning, when about half past eleven it was opened by Messrs. Bird and Wollaston, Under Sheriffs, for the county of Hereford, and immediately the importance of its contents to the wretched object of intended mercy was ascertained, an express was humanely sent off with the utmost celerity, by Mr. Bennet, of the Hotel, at his own expence, who started from thence about 29 minutes before twelve o'clock, and arrived at Gloucester a little after two, 20 minutes after the culprit had been turned off, and who was then suspended at the drop."

ASSIZES.

LANCASTER, MARCH 30.—The trial of *John Collyer*, for publishing the libel reflecting on the conduct of the Commissioners of the Property Tax at Manchester, occupied the attention of the Court the whole of the morning. It is the same libel for which the proprietor of the *Statesman*, Evening Paper, is at present suffering in Newgate.—Mr. PARKE stated the case on the part of the Crown.—Mr. SCARLETT made a very eloquent and ingenious speech for the defendant: Mr. BROUGHAM was Counsel for the defendant with him.—Sir SIMON LE BLANC concluded his summing up to the Jury by expressing his opinion, that the publication had the libellous tendency imputed to it by the information.—The Jury pronounced the defendant *Guilty*.

NORFOLK.—THE KING v. LORD CLERMONT.—This was a criminal indictment, charging W. C. Fortescue, Lord Viscount Clermont, with an assault on Sarah Lumley, widow, of Saham Toney. The assault was sworn by the prosecutrix herself to have been of a most violent, cruel, and outrageous kind; and the evidence of another poor woman, and that of a surgeon, went in corroboration of the statement as to the bodily injury she had thereby sustained. On the part of the noble defendant, it was attempted to discredit Mrs. Lumley's evidence altogether, on the ground of its improbability; and three witnesses were

brought forward, viz. Lord Clermont's Steward, the master of the Clermont Arms public-house, and a blacksmith, who severally swore, that they did not think she was to be believed on her oath: the Steward likewise stated, that Mrs. Lumley had told him a different story on the day the transaction was alleged to have taken place. The Jury found the defendant *Guilty*; and Lord Clermont, in person, received the sentence of the Court, which was to pay a fine of fifty marks to the King, and to be imprisoned until the fine should be paid; which was instantly done, and his Lordship retired.

Surrey.—It was expected that *Roberts*, who stands committed for various forgeries on the Bank, and also for breaking out of prison, would have been tried, but a motion was made for postponing his trial until the next Assizes, and assented to by the prisoner's Counsel. The trial was therefore adjourned.

Thomas Livermore was indicted for wounding his wife with intent to murder her. By the evidence of Mr. Martin, it appeared, that the prisoner and his wife were employed by the witness to take charge of his house; on the night of the accident he heard the prisoner and his wife quarrelling, when upon an unusual noise he run out of his room, and met the prisoner's wife with her throat cut, and bleeding profusely; she exclaimed, "Oh! I am murdered." The prisoner escaped out of the window, but was shortly afterwards apprehended, when he confessed that he committed the fact.—A surgeon stated, that the throat was cut quite across, and the wound was as deep as it well could be without dividing the arteries. The woman was now nearly recovered. The prisoner made no defence, and the Jury found him *Guilty*. He received sentence of death.

AGRICULTURAL REPORT FOR MARCH.

The few beans and peas already above ground look healthy. Spring sowing generally backward, but the lands now work well. The wheats recovered from the degree of damage received during the winter, and in a flourishing state upon all good lands, but, on the cold and wet, improvement must be waited for, and will depend on the mildness of the spring. Some have still a yellow and unhealthy appearance. Accounts from various parts speak well of the remaining turnips, and the cattle are said to be in a very thriving state. Winter tares, rye, young clovers, and grass, appear very promising; and the clover seed of last season has proved equal in quality to the finest of former years, indeed can scarcely be remembered so fine.—Hay very scarce.—Stock of cattle in the country abundant: cows rather dearer. Pigs becoming very plentiful, the price of barley, pease, and beans, having been for some time favourable to the breeder, and a stock of pigs being soon raised. The stock of wheat in the country is universally reckoned considerable, still more so of barley, on which a farther depression of price may be expected, a circumstance extremely favourable to the public, since not only is the breeding of pigs encouraged, which has been defective so many years, but vast additional quantities of pork and bacon will in consequence be made, and the price of those necessary articles greatly reduced in no great length of time. Should another large crop of wheat succeed, a great revolution may be expected in the price of all the necessaries of life, an event which will be accelerated by our constant large imports of provisions from Ireland, where also breeding and stock-feeding is in a state of rapid increase and improvement. The fall of lambs has been very large and successful, and they are likely to be very early fit for market. The report from all quarters favourable.

IMPERIAL PARLIAMENT.

HOUSE OF LORDS.

Monday, April 1.

Lord ELLENBOROUGH presented a Petition from some tradesmen against the Vexatious Arrest Bill, particularly against that clause which prevents arrests for any sum under 20*l.*—Ordered to lie on the table.

The Commercial Credit Bill, after some opposition, was read a third time.—Adjourned.

Tuesday, April 2.

Lord ERSKINE delivered a speech of great length in favour of the Claimant to the Banbury Peerage.—Various Bills were forwarded.—Adjourned.

Wednesday, April 3.

The Militia and other Bills were read a first time.—Adjourned.

Thursday, April 4.

IRELAND.

Earl STANHOPE, after an introductory speech, moved, "That this House, having taken into consideration the Circular Letter of Mr. Pole and the Act of the Irish Parliament, feel it necessary to declare, that the said Circular Letter does require certain acts of severity not authorized by that Act,—that it contradicts the legal rights of the People, and is in direct contravention to that spirit of conciliation which the present times require."

The motion was supported by Lords HOLLAND and GRENVILLE, and opposed by Earls LIVERPOOL and BUCKINGHAMSHIRE, and the LORD CHANCELLOR, the latter of whom said, that though the Letter was put together in a slovenly manner, yet it was clear that it did not mean to do any thing contrary to the Convention Act, the only object of which was to prevent disorder,—On a divison the motion was lost—there being 6 for it and 21 against it.—Adjourned.

Friday, April 5.

Lord GROSVENOR moved the second reading of the Reversion Bill. Though he was not sanguine of success, yet he earnestly called the attention of their Lordships to guard against public discontent by complying with the just wishes of the people.

On the opposition of Lord ELDON, the motion was negatived. After which, Lord LIVERPOOL moved that the Bill be rejected, which was immediately carried.—Adjourned till Monday.

HOUSE OF COMMONS.

Monday, April 1.

On the second reading of the Wakefield Railway Bill, it was thrown out by a majority of 61.

BATTLE OF BARROSA.

Mr. A. COOPER, on bringing up the Ordnance Estimates, after a few observations, moved, "That a sum not exceeding 3,402,211*l.* be granted to his Majesty for the Ordnance Service."

Mr. WARD took this opportunity to make some remarks on the deplorable conduct of the Spaniards at Barrosa. That any set of men could stand by, cold-blooded spectators of a battle, the mere recital of which warmed the hearts of all who were not dead to honour, must be matter of infinite surprise to every one. Such however was the fact. He did not wish to libel the Spanish character. The country had produced many illustrious men: but it had degenerated, owing to the depravity of its government. As to the present Cortes, a less useful and respectable body of men had never existed. When they assembled, their first step was to expel certain French words from their language, while 300,000 Frenchmen overran their country, of whom they took no notice: they then established the liberty of the press, at the very time they drove their best men out of the country, to die broken-hearted in a foreign land.—In the late battle, Gen. Graham had been placed under La Penn; but he thought the lives of a British General and a British Army should not be risked under a Spanish Commander.

Mr. PERCEVAL thought the Hon. Gentleman had been more severe upon the Spanish General than the evidence justified.—To describe the Spanish army, too, as cold-blooded spectators of the battle, was neither just nor generous. Gen. Graham had not only not described them as such, but he had even stated the reverse, as the Gazette would show. When the situation of the Spanish army was considered, posted as it was *four miles* from the scene of action, it required more information than they at present possessed to justify the passing of a censure upon them.—As for the Government of Spain, infirm as it might be, it had kept their country unsubdued by France, to the great

disappointment of those in that House, who now in retrospect censured Ministers for failing to do what before by anticipation was pronounced to be impossible. In placing himself under the Spanish General, Gen. Graham had exercised his own discretion.

Mr. WHITBREAD thought highly of the Spanish people, but complained of the treachery of their officers. The Spaniards did not want courage, and had they been placed, as the Portuguese were, under British Officers, the result of the late battle would have been very different.—All the private accounts proved that so far from the British having been assisted by the Spaniards, they had been misled by them; Gen. Graham's advice had not been taken; the plan of operations had not been acted upon by the Spaniards. Through La Pena the troops of Gen. Graham had been obliged to march for so many hours. Through him they had not been halted and refreshed; and through his obstinacy they had been forced to go on to battle in a situation in which no troops but British could have conquered. They had had to face a superior army drawn up in a favourable position, fresh and ready for battle, while the British columns were full of unavoidable disorder. General La Pena was within *twenty minutes* quick march of the spot were the armies were engaged. Was it fit that British Generals and British Soldiers should serve under such Commanders? The Right Hon. Gentleman had said, General Graham had used his own discretion in placing himself under La Pena. Situated as that gallant General had been, he could not exercise his own discretion. It had been said great allowances should be made for persons situated as the Spaniards were. He gave them credit for their conduct, but he gave their leaders none. Did the Right Hon. Gentleman think all was pure at Cadiz? Did he not know, that the same corruptions had obtained a footing there, as existed under the old Spanish Government; and that the English were regarded with a jealous eye by the rulers, though they were little less than adored by the people? It was known, from the French Officers brought in, that the enemy only expected to find the English. After all this, they were to be told that General Graham had said nothing against them, and so they must pass no censure. Was this a statement that would satisfy those who had lost their sons and relations in the action? Was this a sufficient apology for the siege not having been raised, when it was known that those for whom they fought had remained at a distance, not "cold blooded spectators" of the fight, but, as he had heard, busily employed (as on a former occasion) in plundering the baggage of the English? He admired the Spanish troops, but nothing could be hoped from them, unless they were led to battle by better officers. The Guerillas, of which much had been said, plundered their countrymen as well as the enemy, and he was confident it was not by them the Peninsula could be saved.

Mr. PERCEVAL wished to be understood not as being the panegyrist of the Spanish General, but as wishing to prevent a sentence of condemnation being prematurely passed. As the Cortes had taken up the subject (and this he could state to the House), he thought they (the House) ought to suspend their judgment.

Gen. TARLETON contended, there were strong grounds for suspecting the Spanish General not of indifference, but of treachery. The military genius and presence of mind of Gen. Graham had alone saved the English army from destruction. The Spanish force was never more than four miles distant from the scene of action, yet it made no effort to take a part in it. The "cold-bloodedness" of the Spaniards, the removal of the two battalions which occupied the heights of Barrosa, combined with all the other circumstances, proved a something more than cowardice, and clearly demonstrated the existence of treachery. In all the battles fought in the Peninsula we had gained abundant glory; but as no solid good could be derived from our continued exertions, he wished the Committee to consider well the nature of the vote they were called upon to give.

Mr. PERCEVAL wondered the Hon. Gentleman did not recollect that it was possible a Government might send out a bad General, without all its Members being traitors or unfit to manage affairs. He wished it to be observed, however, that the Cortes were not the Government.

Some further explanation followed with respect to the nature of the Cortes as compared with the Government, after which the Resolution was put and carried.

Mr. WHARTON moved that the sum of 1,648,260*l.* should be granted for the Commissariat Department.—The Resolution was agreed to.—Adjourned.

Tuesday, April 2.

On a motion for the second reading of the Western Fishery Bill, it was thrown out without a division.

A Petition was presented and received from Wexford, praying that a Writ might be issued for the election of a new Member for that county, on the ground that the present Member, Wm. Congreve Alcock, Esq., was a lunatic.

On the motion of Lord BINNING, a Committee was appointed, (after a division in its favour) to inquire into the expediency of the Exemption from Toll granted to Mail Coaches in Great Britain.—From his Lordship's statement, it appears that there are 220 Mail Coaches, which run about 10,000 miles a day, and that the annual loss to the Trustees of the Roads, by their exemption from paying toll, amounted to at least 50,000*l.* while, at the same time, the profits of the Mail Coach Proprietors were immense.—These carriages weighed at least 40 cwt. and they were thus passing up and down the roads without contributing any thing to their repair.—Mr. PERCEVAL and Mr. ROSE opposed the motion, but it was carried by a majority of five.

The Military Enlistment Bill was passed.

The Distillery Bill, notwithstanding the opposition of Mr. Curwen, Mr. Coke, and other agriculturists, was read a second time: on a division, there was a majority of 25 in its favour.

The Report on the Ordnance Estimates was agreed to, and the House adjourned.

Wednesday, April 3.

The Commercial Road Bill was passed.

Mr. BRAND presented a Petition from the County of Hertford, in favour of Parliamentary Reform.—Ordered to lie on the table.—Adjourned.

Thursday, April 4.

OFFICERS OF THE ARMY.

Gen. GASCOYNE called the attention of the House to the insufficient pay of the inferior Officers of the Army. In the year 1614 the pay of a private soldier was 6d. a-day, an Ensign's, 3s., a Lieutenant's, 4s.; and a Captain's, 8s. Majors and Lieut.-Colonels not only received pay as such, but received considerable profit in other ways.—At this present time, in consequence of the great rise of price in all the necessaries of life, the pay of the Officers was now in fact much less than when the regular army was first established. The pay of a Captain was nominally 10s. 6d. a-day, but after deducting the Income Tax, it only amounted to 9s. 6d. which was less than half the value of their pay 115 years ago.—Such being the fact, he saw no one reason why the pay of Ensigns, Lieutenants, and Captains, should not be augmented; and this was the object of his present motion. In the time he had alluded to, the pay of the private soldier had been doubled. He trusted that Ministers would pay a proper attention to the hardships so long endured by that meritorious body of men, the Officers of the British Army, and should therefore move, "That a Committee be appointed to consider the present State and Pay of the Officers of the Regular Army, and to report the same to the House."

Mr. C. W. TAYLOR supported the motion. Every Foreign Army, he said, was better paid than the British.

Lord PALMERSTONE (Secretary at War) confessed that the motion had put him into a very awkward situation, acknowledging, as he did, the great merit of the Officers, yet reflecting on the State of the country, which required even a degree of parsimony. He regretted that the motion had been made at all, as it called forth hopes which could not be gratified. The private soldier, it was true, had more pay in proportion than the Officer: but it was to be remembered that the soldier must have sufficient for his subsistence, and that he had no other re

sources; whereas the Officer was supposed to serve in a great measure from motives of honour and a love of fame. At the same time, it should be observed, that the Officer had travelling, foraging, and lodging-money, to a much greater extent than heretofore, and considerable allowances were now made on the embarkation service. Government would do every thing in its power to increase the comforts of the army; but to acquiesce in such a motion as the present, would not be attended with good consequences. The Navy might next advance similar claims; but he thought no Member would say that in the present condition of the country it would be proper to increase the allowances of all descriptions of service. The Income Tax did not fall on Officers exclusively, but only in proportion with every other member of the community.

Mr. HUTCHINSON said, that the First Lord of the Admiralty, the Judges and other public Officers, had recently had an increase of salary, and he saw no good reason why the Officers of the Army should not have the same advantage.

Sir JAMES PULTENEY and Gen. TARLETON opposed the motion.

Sir THOMAS TURTON was sorry to see such a motion discussed in so thin a House. Had the salary of a *Civil* Officer been to be discussed, there would have been a crowded assembly. The Officers of the Army ought certainly be enabled to live on their pay, and he hoped Ministers would either adopt the motion or do something themselves.

Mr. WILBERFORCE opposed the motion. Fame, he said, was the recompense of our gallant Officers. Such subjects should be left to Ministers.

The motion was negatived without a division.

WEST INDIES.

Mr. BARHAM moved the appointment of a Committee to consider of the practicability and expediency of supplying our West India Colonies with free labourers from our settlements in the East Indies.—The motion was carried.

INDIA COMPANY.

On the motion of Mr. PERCEVAL, it was agreed that the House do give notice to the India Company, that their Charter will expire in the year 1814, &c. &c.

The Distillery Bill was ordered to be printed.—Adjourned.

Friday, April 5.

The Printers' Regulation Bill, after some amendments, one of which went to limit the number of forfeitures to 25, or 500*l.* was ordered to be reported on Monday.

CASE OF DE YONGE.

Lord FOLKSTONE gave notice, that if the case of this individual was not decided next term, he should bring it before the House. De Yonge had done nothing more than what bankers and tradesmen had been in the habit of doing for years, yet he was singled out for prosecution.

Sir VICARY GIBBS said there had been no unnecessary delay. The case was now before the Exchequer Chamber, and it was possible that it would be decided next term.

BULLION REPORT, AND BANK DISCOUNTS.

Mr. HORNER said, that it had been his intention to move for a repeal of the Bank Restriction Act. He now conceived that it would be better to submit first to the House, when resolved into a Committee, some resolutions on the subject. With a hope of obtaining a full attendance of the House after the holidays, he would move—"That on Monday, the 29th of April, the House should resolve itself into a Committee, to consider the Report of the Bullion Committee."

Mr. ROSE expressed his regret and surprise that the Learned Gentleman had not brought the question forward sooner.

Mr. HORNER was fully prepared to bring the subject forward to-night, if it could be brought forward in a manner worthy of its importance. There might be, perhaps a cause for impatience; perhaps the Right Hon. Gentleman wished that the discussion had taken place before the value of the bank tokens was raised to 5*s.* 6*d.* or perhaps *another change* was about to take place, which would be detrimental to the interests of the Public.

Mr. PERCEVAL could not but lament that delay had taken place. The circulation of the Report of the Bullion Committee had been productive of much calamity to the Public. While the discussion would be taking place, it would be also productive of mischief, from the manner in which the public mind was affected.

Mr. TIERNEY said, that respecting the mischief of the Report, the Right Hon. Gentleman could expect nothing else. When the glorious victory of the 29th of April would take place, *the victory of Paper over Gold*, the Public mind would be quieted, and the case would be *quite clear* against the propriety of the Bullion Report!!

The question was then put, and the motion agreed to.

Mr. HUSKISSON said, that in the question under consideration, the amount of commercial discounts ought to be laid before them. The Bank had stated that their discounts and issues had borne a regular proportion, therefore it would be necessary, in his opinion, to state the proportion they bore to each other before and since the Bank Restrictions, in order to know the comparative value of specie at the present day. The late Sir Francis Baring had told them, that of late there had been such an extensive facility of discount, that Clerks not possessed of 100*l.* had made discounts to the amount of 10,000*l.* Such facilities would not have been found if the restrictions were removed. He could state, he said, other authority on the subject, which would prove that the speculations, or loose trade, as it was termed, had proved injurious to the currency. The Honourable Member concluded by moving,—"That there be laid before this House, a comparative scale of discounts by the Bank of England, from January, 1790, to the 1st of January, 1811."

Mr. MANNING defended the Bank, and resisted the motion.

Mr. HORNER supported the motion. He had recently found the discounts decrease, while the amount of notes had been augmented.

Mr. MARRYAT supported the motion, because he was perfectly satisfied that the Bank had exceeded the bounds of propriety in discounting bills. He could not sit silent, when he heard it asserted by a Gentleman in his place, that the Bank issued notes only to answer the discounts required by men of known property. He knew instances of clerks in the city, not possessing one shilling of their own, getting their bills discounted at the Bank of England, without the least hesitation, but before they became due, all the parties to such bills had become bankrupts.

Mr. HENRY THORNTON and Mr. ALEXANDER BARING opposed the motion, on the grounds that no evidence had yet appeared to shew that the Bank had yet exceeded the limits permitted by law or prudence in discounting mercantile bills.

Mr. WILLIAM SMITH supported the motion. On a division, there appeared, For the motion, 23—Against it, 56—Majority, 33.—Adjourned.

TUESDAY'S LONDON GAZETTE.

BANKRUPTCY ENLARGED.

J. Jones, Rochdale, oil-dealer, from March 23 to May 11.

BANKRUPTCY SUPERSEDED.

J. Hawkins, Queen-street, Limehouse, builder.

BANKRUPTS.

R. Bartlett, Kineton, Warwickshire, dealer.
H. Bradley, New City Chambers, London, insurance-broker.
G. Cowley, Bristol, stationer.
G. Harris, Plymouth, spinster.
S. Hartshorn, Shrewsbury, mercer.
T. Hayward, Deal, shopkeeper.
J. Hockley, Long Acre, liquor-merchant.
H. Houghton, King's Arms-yard, Coleman-street, merchant.
G. Hodgetts, Kingston, dealer in corn.
J. Humphreys, King's Arms-yard, Coleman-street, merchant.
L. Levi, Plymouth, navy-agent.
G. Medley, College-hill, London, warehouseman.
G. Mildram, Tiverton, draper.

R. Murdock, Falmouth, shopkeeper.
G. Phillips, Birmingham, umbrella-maker.
J. Webb, Sheerness, slopseller.
T. Wilson, Higham, Suffolk, miller.

SATURDAY'S LONDON GAZETTE.

This Gazette contains an account of the capture of the Getrowed Dutch schooner, pierced for 14 guns, by the Fancy armed cutter; and also Le Cupidon French privateer, of 14 guns and 82 men, by the Amazon, Capt. Parker.

BANKRUPTS.

W. Coates and G. Cass, Bucklersbury, wine-merchant.
P. Thomas, Hatfield-street, Surrey, smith and engineer.
R. Collett, Leeds, grocer.
W. Cottrell, Conduit-street, Bond-street, builder.
M. Foster, Manley, Staffordshire, grocer.
J. Stych, Trimsarran, Carmarthen, woolstapler.
P. Maclaren, Edgware-road, iron-founder.
D. Butters, Queen-street, Bloomsbury-square, tailor.
J. Oddy, Leeds, clothier.
J. Davey, Truro, Cornwall, rope-maker.
H. Phillips, Worthing, Sussex, wine-merchant.
T. Chamberlayne and Co. Cumberland-street, coach-makers.
J. Rathborn, Turpin-lane, Greenwich, carpenter.
T. Stapley, Tunbridge-Wells, butcher.
R. W. Cundall, Richmond, Surrey, schoolmaster.

PRICE OF STOCKS ON SATURDAY.

3 per Cent. Consols for Money, 64¾ | Consols, Acc. 64¾

Observations next week on the curious transaction stated to have taken place between the PRINCE REGENT and Mr. PERCEVAL.

THE EXAMINER.

LONDON, APRIL 7.

By the dispatches received yesterday morning from Lord WELLINGTON, dated the 16th ult., it appears certain that MASSENA has retreated. It is supposed that he was at that time marching for Almeida. He is described as proceeding with the utmost rapidity, burying his ammunition, burning the towns behind him, and making occasional stands only to lose his men. In one of these skirmishes the advanced part of our army is stated to have had a partial action with the enemy's rear, and to have killed and taken about 900 men. If MASSENA hoped to starve out the allies at Lisbon, as some people imagine, he has certainly found himself egregiously mistaken; but how an experienced general in his situation could think of starving out an army who had a communication with England open to them, seems inexplicable. One would have thought that his object in taking his station before Lisbon, must have been either to provoke his enemy to come out against him, or to try some point of attack hitherto unattempted. In the former object he has not succeeded; in the latter, he does not appear to have expected success; and nothing remained for him but to decoy the allied army from its strong hold into a ground more advantageous to his means. It must be confessed, however, that if his present proceeding looks to any thing of the kind, it is a decoy with a vengeance, and likely to exhaust his strength before it reaches the promised land.

The truth seems to be, that want of provisions has driven him from his post; and that what with it's foes and it's friends, Portugal has been rendered incapable of yielding subsistence to either.

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FIRST OFFICIAL BULLETIN.

Downing Street, April 6.

Captain Camac has arrived with dispatches from Lord Wellington, dated Villa Sera, 14th, and Luzao, 16th ult. by which it appears that the enemy retired from their position at Santarem and its neighbourhood on the night of the 5th, and directed their march towards the Mondego, having one corps on the road of Espinel. General Loison's division on the road of Anciao, and the remainder towards Pombal. On the 9th, the enemy collected in front of Pombal, where they were attacked with great gallantry by several detachments of cavalry and the light brigade of infantry, under Gen. Pack, and retired in the night. On the 12th they took up a strong position at the end of a defile between Redinha and Pombal.—They were attacked in this position on the 12th, and by the light infantry brigade and the cavalry; the other troops being in reserve. The troops formed with great accuracy and celerity. Major-General Brent Spencer led the line against the enemy's position on the heights, from which they were immediately driven, with the loss of many killed, wounded, and prisoners.

The enemy then retired to the position of Condexa, and the division under Major-General Picton immediately passed through the mountains on the enemy's left, and caused them to remove from the strong positions of Condexa. Lord Wellington was immediately enabled to communicate with Coimbra, and made prisoners a detachment of the enemy's cavalry on the road.—The enemy took up a position at Call Nova on the 14th, and the 4th division under Major-General Cole having turned their position on the left, and the light division under Brigadier-General Pack and Sir William Erskine having turned it on the right, the enemy were obliged to abandon all the positions which they successively took up in the mountains, and their rear-guard was driven back on Miranda de Corvo, on the river Ecu, with loss of killed, wounded, and prisoners.

On the evening of the 15th, the strong position of Miranda de Corvo was turned by a British corps under Major-Gen. Cole. The enemy, upon abandoning it, destroyed a great number of carriages, buried and destroyed much ammunition, and the road throughout the march from Miranda was strewed with carcases of men and animals.

The enemy, on the 15th, took up a strong position, which they were afterwards forced to abandon with considerable loss. The Colonel of the 39th regiment was here made prisoner.—In the night the enemy destroyed the bridge over the Ceira, and retreated to another position between that and the Alva.

Lord Wellington speaks in the highest terms of the gallantry and good conduct, without exception, of all the troops, British and Portuguese. The whole loss in these different actions amounts to three officers and about 50 men killed—1 Major, 8 Captains, 18 subalterns, and about 380 men wounded. It appears that Lord Wellington had received accounts that Badajoz had surrendered to the French on the 11th, the garrison prisoners of war.

SECOND OFFICIAL BULLETIN.

Dispatches have been received at the office of Marquis Wellesley from Mr. Stuart, his Majesty's Minister at Lisbon, dated the 23d of March—they state the army of Gen. Massena continued to retreat towards the frontier, and that every march was facilitated by the abandonment of wounded, the destruction of baggage, and whatever could encumber their movement. The enemy attempted during the 18th and 19th to make a stand in the Sierra de Moita, but they were driven from that position with the loss of 600 prisoners on the 19th. On the 21st they reached Galiza. The British head-quarters were at Pombeiro on the 18th, and at Argazil on the 20th. The cavalry and light corps continued in sight of the French rear-guard, and the movement of the allied army along the skirts of the Estrella, which flank the positions in the valley of the Mondego, promised new impediments to their retreat.

Bajadoz and Campo Major had fallen into the hands of the enemy. Marshal Soult had subsequently moved in the direction of Seville, with part of his forces.

Gen. Beresford reached Portalegre on the 20th.

The Court of Directors of the East India Company, after going through the whole of the evidence relating to the suspended Madras Officers, have resolved that they be RESTORED to the service.

Sweden has been called upon to furnish 12,000 men for the French marine, and 10,000 land troops; part of the seamen have marched through Hamburgh, and have manifested the greatest discontent. The land forces have been refused.

It is said that La Pena has been tried and acquitted of the charge of cowardice, but found guilty of gross misconduct, as a General Officer, in the duty intrusted to him.

The *Morning Chronicle* has distinctly stated, that the account of Mr. PERCEVAL'S rebuke by the PRINCE REGENT, was obtained "from a Correspondence which a Noble Duke, of twenty-one years of age, in the indiscretion of his disappointment, has shewn to his friends."

In the late battle, General GRAHAM charged twice at the head of the 87th foot, which has suffered severely, and had two horses killed under him—it was the 87th which took an Eagle from the Enemy. This regiment are to a man Irish, and is called the Prince of Wales's Irish. It is to be hoped, when the first of the French Eagles is laid at his Majesty's feet, that his Ministers will take care that the Country and *Religion* of the Brave Fellows who contributed so much to the honour of his Arms, will not be forgotten!

In the Court of Common Council, on Thursday, an increase of 1,500l. was voted to the salary of the LORD MAYOR. A vote of thanks was also carried unanimously, on the motion of Mr. FAVELL, to Generals GRAHAM and DILKES, and the Officers and Men under them, for their atchievements in the battle of Barrosa. The freedom of the City, and swords of the value of 200 and 100 guineas, were also voted to the two gallant Officers.

In Glasgow alone, out of 9560 looms, no less than 4389 are now idle; and in the towns and villages in the West of Scotland there are at least 15,000 idle looms at this moment. It is well known that every loom laid idle turns also a person out of the employment of winding, &c. so that the unemployed persons amount to 30,000.

Neither Mr. TIERNEY, Mr. PONSONBY, nor Mr. SHERIDAN, voted in favour of Lord FOLKSTONE'S motion against *Ex-Officio* Prosecutions.

Lord FOLKSTONE'S motion has sufficiently proved that the Papers which support Ministers may abuse and libel with impunity, whilst the independent Prints are sure to be prosecuted for articles which even the Judges at times declare to be harmless! This, according to Sir VICARY, is equal justice,—The *Post* and the *Courier* have, over and over again, attributed the vilest motives to various Members of Parliament, yet no *ex-officio* Prosecutions ever disturb them in their manly and dignified career. No, no; they are cherished in every possible manner; they are supplied with information from the Government offices, and receive thousands in the way of payment for Government advertisements.—Yet they *talk* of their disinterestedness and their independence! The hypocrite of the *Courier*, the other day, prated about the injury done to religion by Sunday papers, though for years past this man has employed numbers of people on the Sabbath, in his own house!

The Bishop of SALISBURY, when lately called upon, in the country, to make a return under the Income Tax, said that he made it in London. When his Grace was waited upon in town, he replied that he had given in his return at Salisbury.—This forgetfulness of the Bishop occasioned him some trouble, for he had to make oath of the fact before the Commissioners.

"The Spilsby Pauper Bill (says a Correspondent) but for the humane opposition of Sir SAMUEL ROMILLY, no doubt would have passed into law. When its clauses were discovered, all parties were ashamed, and shrunk from its support;—Sir JAMES GRAHAM, who introduced it into the House, seemed not to have even read it;—the Mayor of Spilsby disowned it;—the County Members knew nothing of it! I would ask, Mr. Examiner, who will father it? and perhaps some Spilsby Correspondent may favour the Public with its author or authors."

A Court of Enquiry assembled yesterday morning at the head quarters of the 2d regiment of Royal Tower Hamlets Militia, Major FORSTEEN, President;—to investigate certain statements contained in a letter addressed to Major General TURNER, by private JOHN CLINTON, of the aforesaid regiment.

It is intended, either to place the City and Tower Hamlets Militia on the same footing as the Militia in general, in regard to the extension of their services to any part of the kingdom, or else reduce them as Local Militia, in which case they will only be called out for 14 or 21 days exercise in the year. It is quite time that something were done of this sort, for at present these regiments are of little or no use whatever, except the filling of certain persons pockets be deemed a public benefit.—The late trial of Capt. MASON sufficiently exposed the monstrous abuses existing in this part of the military service; but if these regiments are to be re-organized, it is to be hoped good care will be taken that proper officers be appointed, and that both the public money and the comfort of many thousand individuals be no longer under the control and influence of low, needy, and inhuman adventurers.

At the Old Bailey, yesterday, *Sarah Dell*, who was charged with wilfully uttering a counterfeit Bank-note, in the shop of Mr. Burnell, grocer, Strand, was acquitted, after some deliberation on the part of the Jury.

A very singular discovery has been made at Colchester respecting the sex of a servant who had lived thirty years in a family in that town, as house-maid and nurse. Having lately paid the debt of nature, it was discovered, on examining the body, that the deceased had been a male. No reason is assigned for his having assumed the female garb; and he had never, like the Chevalier D' Eon, excited suspicion, or been the subject of bets and law-suits.

Imperial Cradle for the young Napoleon.—(*From a French Publication.*)—"The cradle which the City of Paris is to present to her Majesty the Empress is made of silver, gilt and enriched with mother of pearl; the inside is furnished with velvet of a lively orange red; the curtains are of lace, embroidered with bees of gold, and lined with white satin. The cradle is supported by four cornucopias placed cross ways, and two small figures, the one representing Justice, and the other Strength. On the sides are two cameos, one representing the Nymph of the Seine, holding up her arms to receive the child of the Gods; the other represents the Tiber, smiling to see the new star arise. At the head of the cradle is seen Fame holding in her hands a Crown surmounted by a star (an emblem of the genius and glory of the Hero who governs France); and at the foot is a young eagle, whose eyes are fixed on this emblem, and whose appearance indicates an attempt to soar above the star. This cradle has been made by M. M. Thomire, sculptor, Odiot, goldsmith, and Darrac, upholsterer, after the designs of M. Prudhon, one of our most distinguished painters."

THE KING'S ILLNESS.

MEDICAL BULLETINS.

"*Windsor Castle, March* 31.

"The King continues to go on well."—(The Bulletins will in future be exhibited on Wednesdays and Sundays only.)

"*Windsor Castle, April* 3.

"His Majesty continues to go on well."

His Majesty takes his usual daily walks on the terrace at Windsor, *the Doctors remaining in the distance.*—On Thursday the Archbishop of Canterbury and the Earl of Aylesford had an interview with the King.

THE LATE MR. SMITH.

Joseph Clarendon Smith was born in London, in the year 1778. His father, who was a builder, was either improvident or unfortunate, for he left no provision for his two sons, of whom the younger died in a consumption at the age of twenty-three. Joseph Clarendon, the elder, was sent to sea at a very early period of life, and after serving about three years as a Midshipman, was admitted into the Mathematical School of Christ's Hospital.

The object of his admission appears to have been, improvement in the theory of navigation; but he now began to discover so much inclination and talent for imitative art, that it was thought adviseable, when the time of his dismissal arrived, rather to place him under an Artist, than to continue him in the naval service, and he was accordingly placed, first under Wilson the Engraver, and subsequently under Parker. He worked with credit on some of the best plates which bear the names of those artists: but, it is much to be regretted, that his talents as an Engraver—as is now no solitary case—had no fair opportunity of expanding themselves. They budded with great promise, and blossomed with some beauty, but they can scarcely be said to have fructified; as he was for the most part, after his engagement with Mr. Parker expired, employed on small works, where the obtainment of pecuniary profit is the sole object in the view of the employer, and where the Engraver is consequently restricted in his aims. His best engravings will probably be found in Weld's Topography of Killarney, which was produced to the public upon principles more liberal, and worthy of its author.

Mr. Smith appears to have quitted this neglected Art, because he found excellence either more easy of attainment, or better rewarded, or held in more honourable estimation, in the art of painting in water-colours, which he had hitherto practised only occasionally, and rather as a mean of improvement, than as a profession. He was now for a few years happy, in a matrimonial connexion which he had formed, and in the pleasure of increasing reputation: but the pulmonary complaint, which had killed his father and his brother, began slowly to invade his health. As it invaded his health, however, it seemed to arouse both his fortitude and professional ambition, and perhaps no man has ever improved more as an Artist, under circumstances by which an ordinary mind would have been baffled, if not completely overwhelmed. He seemed really to convert his Art into the means of resisting disease, and fought with Consumption, under its most fearful form, with one hand, while he painted with the other. He literally abstracted his mind from his sufferings, by the study of Landscape. Hope never deserted him: and through the course of three summers, when his friends thought he was returning from Suffolk, Warwickshire, or Devonshire, whither his studies had carried him, to die on the bosom of his nearest and dearest connexions, he was meditating new remedies, in new modes of art, and new scenes of professional fame.

An habitual sentiment of this kind, coinciding with the hopes of those who hailed his talents and respected his virtues, dictated his voyage to Madeira, where Death followed hard after him, and where, as the climate did not afford him the wished-for relief, he remained not long. He died on board the Patriot, on his passage homeward; and what is recorded in an epitaph of the Crusading Knight who lies buried in Danbury Church, may be, with much truth, applied to Clarendon Smith, that Death fled from him while he faced him in the field:—

"But when his weapons he had laid aside,
Death, like a coward, struck him."——

According to the testimony of Captain Potts, of the Patriot, he died about three weeks after his embarkation, perfectly calm and collected, having requested and received a little drink from the cabin-boy, within a few minutes of his decease. He has left a Widow in whose praise much might be said at a moment of less delicacy and less distress, and an infant Son—but in such circumstances, that a Subscription for their benefit has been agreed on among his friends, of which the produce will probably be employed to set her up in a shop where prints, drawings, drawing-implements, &c. may be sold.

Of his principal works, only a large view in water-colours, of the Saxon Tower at Bury St. Edmund's, and another somewhat smaller, of a Gateway, (now destroyed) near Augustine's Monastery, Canterbury, now remain with his widow. A book, containing seventy-two large lead-pencil drawings, of subjects chiefly in the county of Warwick, which might be reckoned among his very best performances; another book of Sketches from Nature, some of which are in colours; and all the Drawings which he made at Madeira, except one; together with several other articles of his property of less importance to his reputation as an Artist, yet of some pecuniary value, have not yet been restored to his family.

Subscriptions for the above purpose will be received by Mr. Valentine Green, Keeper of the British Institution; Mr. James Green, late Treasurer of the Water-Colour Society, No. 38, Rathbone-place; Mr. Devis, No. 16, Berners street; Mr. Landseer, No. 33, Foley-street; Messrs. Colnaghi and Co. Charing-cross; Mr. Edmund Lloyd, Bookseller, Harley-street; and Mr. Blake, Engraver, Change-alley.

FINE ARTS.

MR. SCOTT'S SPORTING PRINTS.

The extraordinary powers which united to produce the Landscapes of Woollett, created an era in Landscape Engraving. No man in any country or age had wielded the Graver with such scientific truth, or with such universal taste and mechanical dexterity. His works issued from the press almost with the stamp of perfection. Since the time of this great master, the elder Byrne, Pouncy, Middiman, and Landseer, have contributed to sculpture out the superior national character of English Landscape Engraving; and the ardent admirers of that elegant art will be gratified in knowing, that one of the Calcographic members, Mr. J. Scott, has just now further embellished that character by the production of two Prints of the largest size of Woollett, and whose excellence will bear me out in pronouncing equal to the best similar subjects by that celebrated Engraver. They consist of two Hunting Pieces, engraved after beautiful Paintings by P. Reinagle, A.R.A. and the late S. Gilpin, R.A. representing *the Breaking Cover*, and *the Death of the Fox*.—The first exhibits an open country spreading to an immense distance, agreeably diversified with craggy and smooth hills, lawns, trees, underwood, and a peasant's cottage embosomed in trees. Groups of ardent Sportsmen, in various and lively action, are mounted on beautiful and high-mettled steeds, who are bounding among the bushes and over the plain, after the Fox, preceded by the Fox-hounds. The point of time is that in which the Fox has just been discovered and is darting from his pursuers, which circumstance is announced by the blowing of a horn, at whose inspiring breath the horses and hounds start forward into eager pursuit. The main group is distinguished by dappled, grey, and chesnut steeds, and by a huntsman who is stimulating the advance of two lagging hounds. The chiaro-scuro of the piece is the forcible result of strong sunny and secondary lights breaking through a cloudy atmosphere, and presenting a lively contrast to the dusky and solemn masses of shade. The strong lights are clear and sparkling, and the deep shadows have a suitable transparency. The demi tones are varied by pleasing gradations of light and shade; the whole producing an effect powerful without harshness. Characteristic taste, and *truth*,—which indeed is the essence of taste, shine in every object, from the delicate lines which connect the sky with those of the distant horizon, and from the hairy coats of the dogs and grey steed, through all the degrees of strength and boldness of line, up to the darkest and most rugged strokes on the massy trunk of a tree, and on the broken fore-ground. Nothing less than an entire mastery of his graver, and a genuine feeling for and exact conception of the different forms and surfaces of objects, could enable an Engraver to execute them with so true and tasteful a portraiture, that each is recognized as the best representation of its kind. It is this truth and tasteful variety in characterizing different objects which constitute the chief distinction between a good and an indifferent Engraver. The performances of the latter are monotonous, and the lines are either too fine or too thick, or have an unmeaning direction, or are too clear and metallic, like those of Wille, or are confused and muddy. None of these defects are the least observable in this Print. They are smooth or jagged, glossy, sparkling, or opaque, as nature requires they should be engraved. The graver of this admirable Artist is already distinguished for its unrivalled and exquisite sculpture of animals of every description, and though they are here performed in his best style, every object in the Landscape which surrounds them is as tastefully, vigorously, and appropriately represented.

The other Print, after a masterly painting by Mr. Gilpin, depicts *the Death of the Fox*, and is replete with similar excellence. The strength of light is concentrated on three principle groups of dogs, that have just come up to, and are falling upon, the exhausted Fox, who is turning on them in desperation.—The Sportsman and Amateur will here receive the utmost gratification the sculptural Art can confer in its most tasteful, animated, and faithful representation of this interesting incident.

Had the Art of Engraving been known to the Ancients, and had such talents as are here exhibited been displayed in Greece, they would have merited and have shared with the professors of the Sister Arts the high reward of public honours which the tasteful and enlightened states of Greece delighted so justly to bestow. R. H.

THE PRINCE REGENT and the PRIME MINISTER.

[FROM THE MORNING CHRONICLE.]

Last week the Chancellor of the Exchequer submitted to his Royal Highness a military arrangement, in consequence of the death of Lord Cardigan, to which he trusted to be honoured with the Prince Regent's approbation:—

Earl Harcourt to be Governor of Windsor Castle, in the room of the Earl of Cardigan deceased,—General Charles Craufurd, to be Governor General of the Military College at Marlow, in the room of Earl Harcourt.

The Prince Regent signified his entire acquiescence in the appointment of Earl Harcourt to Windsor Castle; he knew it would be perfectly agreeable to his Majesty; and he had reason to believe that he had designed him to be the successor of Earl Cardigan.—The Prince also expressed the high respect which he entertained for the talents and services of General Craufurd.—He had high claims on the gratitude of his Country; and the Country had not been unmindful of his claims.—His Royal Highness said, that, to the best of his recollection, General Craufurd had a pension of 1200*l.* a-year on his own life and that of the Duchess his wife. He had a regiment of Dragoon Guards, and he was the Lieutenant Governor of Tynemouth—bringing him, altogether, above 3000*l.* a-year; and therefore he must hesitate in adding to these appointments, while so many other gallant Officers had not an equal provision.

Mr. Perceval strongly urged the General's high merits—and besides, begged leave respectfully to state to his Royal Highness, that his claims were powerfully seconded by his son-in-law, the Duke of Newcastle—*whose support in Parliament was most essential to his Majesty's Administration;—perhaps was of more consequence to them than that of any other individual.*

The Prince Regent, in answer to this argument, made a declaration to the following purport:—"Sir, I did not expect such a reason to be assigned; but I am not sorry that it is so in an instance like the present, when it enables me to make known my resolution without disparagement to the gallant Officer in question. I repeat, that I have a high respect for his merits, which have met their reward; but I must tell you, once for all, that I never *can* nor *will* consent to bestow any place or appointment meant to be an asylum or reward for the toils and services of our gal-

lant Soldiers and Seamen, *on any person upon account of Parliamentary connection, or in return for Parliamentary votes. This is my fixed determination; and I trust I shall never again be solicited in the same way.*"

The Minister bowed, and took his leave. It is not true, therefore, that General Craufurd is appointed Governor of the Military College at Marlow; and we congratulate the country on this truly constitutional answer of the Prince Regent.

IMPRISONMENT FOR DEBT.

ON THE INJUSTICE, CRUELTY, AND IMPOLICY OF IMPRISONMENT FOR DEBT.

BY DR. SAMUEL JOHNSON.

An inquiry has been made, by which it appears that 20,000 persons are at this time prisoners for debt.

We too often look with indifference on the successive parts of that, which, if the whole were seen together, would shake us with emotion. A debtor is dragged to prison, pitied for a moment, and then forgotten; another follows him, and is lost alike in the caverns of oblivion; but when the whole mass of calamity rises up at once, when *twenty thousand reasonable beings are heard all groaning in unnecessary misery*, not by the infirmity of nature, but the mistake or negligence of policy, who can forbear to *pity* and *lament*, to *wonder* and *abhor*? There is here no need of declamatory vehemence; we live in an age of commerce and computation; let us therefore coolly inquire what is the *sum of evil* which the imprisonment of debtors brings upon *our country*.

It seems to be the opinion of the later computists, that the inhabitants of England do not exceed six millions; of which twenty thousand is the three-hundredth part. What shall we say of the *humanity* or the *wisdom* of a nation, that voluntarily sacrifices *one in every three hundred to lingering destruction*?

The misfortunes of an individual do not extend their influence to many; yet if we consider the effects of consanguinity and friendship, and the reciprocation of wants and benefits, which make one man dear or necessary to another, it may reasonably be supposed, that every man languishing in prison gives trouble of some kind to at least two others, who love or need him. By this multiplication of misery, we see distress extended to the *hundredth part* of the whole society.

If we estimate at a shilling a day (now 3s.), what is lost by the inaction and consumed in the support of each man thus chained down to involuntary idleness, the public loss will rise in one year to 300,000l. (now 900,000l.) in ten years to more than a sixth part of our circulating medium.

I am afraid that those who are best acquainted with the state of our prisons, will confess that my conjecture is too near the truth, when I suppose that the corrosion of resentment, the heaviness of sorrow, the corruption of confined air, the want of exercise and sometimes of food, the contagion of diseases (from which there is no retreat), and the severity of tyrants, against whom there can be no resistance, and all the complicated horrors of a prison, put an end every year to the life of *one in four* of those that are shut up from the common comforts of human life.—Thus perish yearly *five thousand men*, overborne with sorrow, consumed by famine, or putrified by filth; many of them in the most vigorous and useful part of life; for the thoughtless and imprudent are commonly young, and the active and busy are seldom old.

According to the rule generally received, which supposes that one in thirty dies yearly, the race of man may be said to be renewed at the end of thirty years. *Who would have believed, till now*, that of every English generation, *one hundred and fifty thousand persons perish in our gaols!* that, in every century, a nation eminent for science, studious of commerce, ambitious of empire, should willingly lose, in noisome dungeons, *five hundred thousand of its inhabitants*; a number greater than has even been destroyed in the same time by the pestilence and the sword.

A very late occurrence may shew us the value of the number which we thus condemn to be useless. In the re-establishment of the Trained Bands, twenty thousand are considered as a force sufficient against all exigencies.—While, therefore, we detain twenty thousand in prison, we shut up in darkness and uselessness two-thirds of an army which ourselves judge equal to the defence of our country.

The monastic institutions have been often blamed, as tending to retard the increase of mankind. And perhaps retirement ought rarely to be permitted, except to those whose employment is consistent with abstraction, and who, though solitary, will not be idle,—to those whom infirmity makes useless to the commonwealth, or to those who have paid their due proportion to society, and who, having lived for others, may be honourably dismissed to live for themselves. But whatever be the evil or the folly of these retreats, those have no right to censure them, whose *prisons* contain greater numbers than the monasteries of other countries. It is surely less foolish and less criminal to *permit* inaction than to *compel* it; to comply with doubtful opinions of happiness, than condemn to certain and apparent misery; to indulge the extravagancies of erroneous piety, than *to multiply and enforce temptations to wickedness*.

The misery of gaols is not half their evil: they are filled with every corruption which poverty and wretchedness can generate between them; with all the shameless and profligate enormities that can be produced by the impudence of ignominy, the rage of want, and the malignity of despair. In a prison the awe of the public eye is lost, and the power of the law is spent: there are few fears—there are no blushes. The lewd inflame the lewd—the audacious harden the audacious. Every one fortifies himself as he can against his own sensibility, endeavours to practise on others the arts which are practised on himself, and gains the kindness of his associates by similitude of manners.

Thus some sink amidst their misery, and others survive only to propagate villainy. It may be hoped that our *lawgivers* will at length take away from us this power of *starving* and *depraving* one another: at all events, let those *whose writings form the opinions and the practices of their cotemporaries*, endeavour to transfer the *reproach* of such imprisonment from the *debtor* to the *creditor*, till *universal infamy* shall pursue the wretch, whose wantonness of power, or revenge of disappointment, condemns another to *torture* and to *ruin*, till he shall be *hunted through the world as an enemy to man, and find in riches* no shelter from *contempt*.

Surely he, whose debtor has perished in prison, though he may excuse himself from deliberate *murder*, must at least have his mind clouded by *remorse*, when he considers how much his prisoner has suffered from him; when he thinks on the wife bewailing her miserable husband, and the children begging the bread which the father would have earned. If there are any made so *obdurate* by *avarice* and *cruelty*, as to revolve these consequences without *dread* or *pity*, I must leave them to be awakened *by some other power*, for I write *only to human beings*.

WHY ARE WE NOW AT WAR?

LETTER III.

TO W. WILBERFORCE, Esq. M.P.

Sir,—I have purposely avoided entering into a circumstantial detail of events too recent and important to be forgotten. I am not writing for posterity, but endeavouring to lead my countrymen to investigate attentively their present situation. They all know what the progress of the French arms has been, and I have only wished to point out the system pursued by different Ministers, and the outlines of the manner in which the war has been conducted. To say that it has completely failed, falls far short of the actual state of the case: it has assisted what it was meant to oppose; it has raised to the highest pitch of power and eminence the man whom it was undertaken to crush; it has afforded to his restless ambition and active spirit those opportunities of aggrandizement, which the continuance of peace must have either withheld from him, or converted into the most flagrant violations of justice and honour. Granting that justice and honour have now been equally violated by him, still war has given him the means of making his actions appear the necessary precautions for self-defence, or the just rights of a victorious enemy. Success, like charity, "hides a multitude of sins;" it dazzles the unthinking; it imposes upon the weak; it terrifies those who are exposed to its operation. These are its effects in ordinary cases; but in the hands of a man like Bonaparte, it becomes an engine in which powers are developed of an extent hitherto unknown, and which are always applied in the most effectual manner, and at the point to which they are most adapted. These are the weapons with which our Government armed their opponent, alike inattentive to his character and to the particular circumstances of the times, either of which duly considered ought to have prevented a recurrence to war.

Of the disposition on the part of the French Government, after the Peace of Amiens, to extend its influence and its territory, there can be no doubt. But did this ambition make as bold and rapid a progress as had been witnessed during the preceding war? By no means. Its most efficient weapons could no longer be employed, at least no farther than the reputation of possessing them overawed neighbouring states, and contributed to support the negotiations of the Cabinet. In its course it no longer overthrew kingdoms, driving sovereigns from their thrones, and erecting new authorities in their places. By slower and more cautious proceedings, France acquired then only strips of land, where by force she had been accustomed to subdue entire provinces. Her interference in the affairs of Switzerland was the most violent part of her conduct; but even that, without any attempt at palliation, may be said to have been only an exertion of the influence created by the events of the preceding war. How different, too, was it in its nature from those measures which established the Batavian, Cisalpine, Ligurian, Parthenopean, and all the host of republics, that extended so widely the influence of their founders! Our Government did not perceive this difference; they did not perceive that peace had checked the career of France; trifling acquisitions of territory, made by treaty, struck terror into minds that had viewed without dismay the stupendous changes wrought by triumphant armies: the fate of Elba was watched with an interest more lively than Italy itself had excited before, and the possibility of losing Malta was deemed an evil of such magnitude, as to justify a measure that risked not merely the repose but the independence of Europe. "England will be ruined, if she desist from active opposition to the enormous power of France;" this was the vociferous outcry of the war faction against the Peace of Amiens. By acting upon their advice, we have augmented tenfold the object of their fears. Could the consequences of a forbearing and pacific system have been half so ruinous?

When the war first broke out, the passions of the nation were inflamed by insults provoked by ourselves, and misguided by extravagant and declamatory descriptions of the disgrace we should incur by remaining passive spectators of the danger to which Europe was exposed by the ambition of Bonaparte. The minds of the people were thus blinded to the consequences of the course they pursued; they heeded not Mr. Fox's prudent suggestion,—that unsuccessful exertions in favour of the oppressed only aggravate the wrongs we wish to redress, and that we ought not therefore to interfere rashly in defence of other countries, without the fairest prospect of being able to protect them; they saw not that by retaining Malta, we not only took upon ourselves all the odium of aggression, and all the disgrace of not fulfilling a solemn treaty—but that we also gave France a pretext for retaining or again taking possession of those countries, which she was bound, by the same treaty, to restore to independence. The only point required of us was the evacuation of Malta; if that had been conceded, would not the Neapolitan garrison which the treaty provided, or the Russian sovereignty which was afterwards proposed—would not either of these have secured that island as effectually from the grasp of France as the regiments we have kept there? Would its safety have been endangered by the abolition of one or two of the *langues*, which was made the flimsy pretext for not observing the treaty? Had this point been given up, France would have had no farther plea for keeping military possession of Holland, and if her troops had not been withdrawn, the odium of aggression and breach of good faith must have fallen upon her government. Over Switzerland she could not have gained a more complete controul, nor secured more strongly her acquisitions on the side of Italy. Peace could have offered no opportunity of increasing her influence on the Continent, of which it was possible for a declaration of war on the part of England to deprive her, and the idea of its endangering the prosperity, influence, or independence of this country, is too chimerical to be entertained. But by peace, it is said, we could neither resent the past aggressions nor prevent the future encroachments of France. Let us examine what prospect of accomplishing these ends was opened by the renewal of war. It was clearly evident that France was as greatly our

superior in military means, as she was inferior to us in naval prowess; and that although we wanted no auxiliaries either for the protection of our native shores, or the security of our maritime dominion, yet, singly opposed to France, we could not hope to prevent any aggression she might meditate upon the Continent. In this we could only expect to succeed through the assistance to be derived from foreign alliances. What rational prospect was there in 1803 of effectual assistance from the continental States?

Misfortune is not in all cases the child of error; the best concerted plans may be ruined by accidents the most improbable and unforseen. But uniform ill success, such as has attended every measure of the present war, can only result from such radical and pre-existing causes, as could not have escaped the penetration of a vigilant and enlightened government. The events which led to the Peace of Luneville proved sufficiently the existence of causes adequate to the effects we are contemplating. The enthusiasm which had animated the French people during the times of the Revolution had indeed subsided, but instead of leaving them in weakness and lassitude, it had been so directed as to have given to their minds a firmer tone, and to their characters new stability; it had made them conscious and proud of their strength, and willing to display it; it had made them active in seconding the views of a government, which had terminated the horrors of anarchy without renewing the evils of the old regime. At their head was a man whose character and abilities had been displayed in a succession of wonderful transactions; his memorable passage of the Alps exhibited within a short space the various features and resources of his mind. Disdaining the beating track—regulated only by existing circumstances—resolved to surmount every obstacle—rapid alike in forming and executing his plans, but quicker still in perceiving and securing his advantages—such were the qualities which enabled him to surprise Melas, and obtain, by the victory of Marengo, stipulations far more extraordinary than the event itself. Throughout every part of his military career he had displayed a daring boldness of achievement, that encouraged his followers and dismayed his antagonists. The same trait had marked his political conduct, combined with a sagacity in adopting means, that made the attainment of his end certain, and a total disregard to the nature of those means, trusting to escape obloquy and silence reproach by the reputation of his success. Such is a faint outline of the formidable qualities of the man, to whose guidance had been entrusted a people so disposed to obey him—a country with resources so recently augmented and developed—and a government still animated by the spirit and energy to which it owed its foundation.

The state of the continental powers was little calculated to resist successfully such means, if openly exerted against them. The first to which we must naturally look, is Austria. Of the disposition of the Imperial Court no doubt could be entertained. But in the last war, Austria had evinced a zeal and perseverance which had cost her much. Reduced to the necessity of agreeing to humiliating treaties, she still returned to the attack, till entirely exhausted, she obtained the peace of Luneville. She had lost some of her most valuable provinces, and embarrassed her finances—the flower of her armies had fallen in battle, the spirit of the remainder had been worn out by captivity, or humbled by repeated defeats. To recover from such calamities, to repair such losses, could not have been the work of three years. Austria appeared indeed to be reorganizing her armies and recruiting her strength, but nothing had occurred to raise her more to a level with her former antagonist, or to counteract the melancholy experience of past calamity and degradation. No new stimulus had been given to the people—no conceded rights—no visible improvements—no diffused blessings, had made them feel the cause of their government to be their own, or awakened any dread of a foreign yoke. No acquisition of territory had given to Austria even a semblance of increased power—no newly discovered talent animated her councils—no newly awakened industry or vigour had improved her resources—in no respect was her attitude more formidable, or her prospect of successful opposition to France more flattering than before.

The past conduct and policy of Prussia gave no reason to expect cordial co-operation from that quarter. The views of the Court of Berlin had long been to weaken that of Vienna, and to annex to its own territories as many German principalities as it could obtain by artifice or treaty. These views could not be promoted by a war with France. When civil commotion and anarchy appeared to have left the latter an easy prey to every powerful assailant, Prussia eagerly joined in the attack, and doubted not that the road to Paris was open to her armies. Soon convinced of her error, she withdrew from the league of nations without any important loss. She saw her former ally repeatedly borne down by misfortunes, increasing with every effort made to overcome them, but secretly enjoying the fall of a rival, she never offered to support the declining head, from which she one day hoped to pluck the imperial diadem. No change of sentiment or policy had been manifested in the Prussian Cabinet, therefore no deviation from its former line of conduct was to be expected—a line of conduct wise in the main, but marked by disgusting symptoms of selfishness and ambition. The pacific system, which was so prominent a feature of it, was seen too evidently to result more from the wish of securing to the throne future acquisitions, than from the desire of bestowing upon the people permanent blessings. A government thus actuated inspires no affection in its subjects, and awakens no confidence in its neighbours; but Great Britain above all had little reason to place confidence in a power, which, without any naval claims to assert, had joined the Northern Confederacy, only because it seemed to offer a pretext for seizing Hanover.

The Emperor of Russia appeared certainly to entertain at that time more good will towards England than towards France. But, from the remoteness of his situation, he could not feel a sufficient interest in changes effected in the South or West of Europe, to encourage the expectation of his being induced, on their account, to arm with an energy and vigour that might promise success. But admitting that these circumstances were of a nature to awaken serious alarm in the Court of St. Petersburgh, a Russian army could only approach France through Austria or Prussia, and one of these powers must in that case become a party in the war. Supposing, too, that the alliance of Russia might induce one of them to declare against France, was the character of Bonaparte so little known as to admit the idea of his remaining inactive, while the forces of his opponents were collecting and uniting? Their

hostile intentions could not be kept from him—camps and magazines could not be formed without awakening his suspicions, and, from the remote situation of Russia, her ally must for a while have to bear the whole brunt of the contest. The detail of operations thus considered, the alliance of Russia could place neither of these powers on higher ground than each occupied by itself. If they were unwilling or unable to engage in war alone, was it reasonable to expect that their views would be altered by the promise of an assistance that could not arrive till the day of trial would be over, and by which their situations with respect to France could be in no material instance improved?

Spain was the only remaining European state possessed of resources, which, properly applied, could be formidable to France. But Spain, whose Monarchs were once the Bonapartes of the age, was, at the time of which we are speaking, in proportion to her advantages, the feeblest of nations. A decrepid government—a corrupt and effeminate nobility—a powerful, rapacious, and ignorant priesthood—such were the causes of her abject state. By these, wealth, almost inexhaustible, was frittered away—the resources of the country left unimproved—its defences ruined—its population oppressed. The high spirit of heroic enterprize, which once distinguished Spaniards, was lost in lassitude and inertness;—the pride of Castile—the valour of Asturias—the independence of Arragon, crouched before the spectres of superstition—and the Escurial, whose decrees formerly made surrounding nations tremble, was become the seat of ignorance, apathy, and imbecility.

Besides the peculiar policy and means of the principal nations of Europe, there was a general and prominent feature in the whole, which formed the strongest contrast to the appearance of France. Long established power becomes almost invariably supine; political institutions owe their origin to important events, by which the energies, talents, and passions of the parties engaged in them, have been brought into action. The fear of danger or the desire of advantage stimulate on such occasions to great exertion; the attainment of the object in view produces security and repose; the spirit that was before diffused dies away by degrees; and indifference and inattention succeed to its place. The actual possession of power then gradually devolves into the hands of those who fill the subordinate executive departments, who, under the name of ministers, observe the forms of the constitution, but are, in fact, themselves governors. It is thus that monarchies, as well as republics, end in becoming virtual oligarchies, where faction and intrigue, usurping the claims of ability and merit, curb the will of sovereigns the most absolute, or corrupt the minds of a people the most independent. Such was the state into which the different governments of the Continent had long more or less fallen: the spirit of their original constitutions was extinct, but the forms of them were therefore adhered to with the greater pertinacity. On thrones, which had been raised by arduous struggles for independence, and the early history of which had been marked by splendid exploits, monarchs were revelling in luxurious ease, or proud of their imagined security, had yielded to inactivity, and sunk in lethargy. The people, by long habits of submission, had lost every restless and aspiring feeling;—too tame to disturb the repose of their rulers, they were too weak to impart to their country any real strength. The field was thus left open to the nobility, whose education and habits made them aspire after political power, as the means either of gratifying their ambition, or of supporting the rank of their younger branches, whom the system of entails would otherwise have reduced to a level with the industry they despised. Into such hands had the management of public affairs almost invariably been thrown, and as different cabals succeeded, ministers rose and fell, opinions were adopted or exploded. Intrigue was the ruling principle; it fixed the appointments to the highest and the lowest official situations; it created financiers, statesmen, and generals, with little regard to talents and still less to deserts. While different interests were thus jostling and counteracting each other, the welfare of the people was still more neglected, and it cannot be surprizing that they grew indifferent to the fate of governments, which considered them only as machines, necessary for recruiting the armies and supplying the taxes of the state. R.

FRENCH PRIVATEERS.

Sir,—Having observed in the daily prints continual complaints of the havoc committed by the numerous privateers of the enemy in the narrow parts of the channel, I beg leave, through the medium of your paper, to offer to the country at large a remedy for the evil,—a remedy which I think certain in its operation, and which, by destroying the confidence the enemy have acquired, will tend almost totally to subdue their spirit of depredation. We have heard that some English luggers are to be sent against them: from long observation, I am convinced that we might with an equal chance of success send pigs after hares, or start cows against greyhounds. All I wish, Mr. Editor, is to put my plan into the hands of any respectable body of merchants, or *others whom it may concern*, and who shall give me a receipt for it, engaging, *that if used, and with success*, to ensure me such a reward as the service I shall render the country shall be thought deserving of by a jury. I feel fully satisfied it would not only answer the end proposed, but would materially lessen the enormous expence we are now at for channel cruizers, who, with all their vigilance, cannot keep dozens of them from annoying our trade every night; and as it would greatly lessen the rates of insurance, I am in sanguine hopes of this letter being noticed.—Should I be so fortunate as to be allowed a trial, I will most assuredly give these depredators a lesson which should inscribe my name on their recollection in characters as indelible at least as those of Congreve or Shrapnel, without putting the *Country to half the expence* incurred by the ever-memorable *Stone Expedition*.—Hoping you will have the goodness to receive any communication that may be made on the subject, I am, Mr. Editor, your's, &c. Nauticus.

FASHIONS FOR APRIL.

A Ball Dress.—A white sarsnet or satin petticoat, with short sleeves; over which is worn a body and drapery of light gauze, formed in three points, or vandykes over the petticoats, reaching nearly to the bottom, the ends finished with white silk tassels; it is crossed over the figure in front towards the left side, and fastened in tufts, or bows of the same colour; sleeves looped up in front of the arm. The bottom of the petticoat terminated in vandykes to correspond. White silk stockings, with blue kid shoes. The hair twisted up behind, and dressed

in full curls, ornamented with a bandeau of light blue twisted crape and roses. White kid gloves.

A WALKING DRESS.—Round dress of cambric muslin, with a ruff collar, trimmed round the bottom with narrow purple ribband, cassimere crimson mantle, confined close to the back, lined with crimson silk, embroidered round the neck, cape, and sides with fancy purple border; a deep cape falling from the shoulders, sloping to a narrow point, with tassels. A crimson velvet bonnet, turban front, and trimmed with purple to correspond. York tan gloves. Yellow kid shoes.—*La Belle Assemblée.*

OLD BAILEY.

On Wednesday, *D. Sedley* and *C. A. Kerrulf*, were put to the bar, charged with stealing five Bills of Exchange, of 500*l.* each, the property of the Marquis of Headfort. It appeared that the Marquis, being in want of money, got entangled with these money-lenders, who by various artifices imposed on the Marquis, and got from him the Bills of Exchange, without any consideration.—Lord ELLENBOROUGH, however, being of opinion that the felony could not be substantiated, though undoubtedly a most gross fraud had been committed, the prisoners were acquitted.—They are to be tried at the Quarter Sessions for the fraud.—The Marquis of Headfort was in Court during the trial.

On Thursday, *J. Healey* was indicted for cutting and maiming Thomas Maxted, in the afternoon of the 1st of March, on Saffron-hill.—It appeared that on the day mentioned Maxted was assaulted by two men, one of whom charged him with given evidence against Bill Davis, who had been convicted last Sessions. The prisoner (as Maxted thought) struck at him with a knife, which he put by with his hand, and was cut across the fingers.—A crowd gathering, the offenders escaped, but Healey was afterwards taken.—From the evidence, however, of the Deputy Steward and Nurse of St. Bartholomew's Hospital, it was proved that the prisoner had been in that place as a patient on the day mentioned in the indictment, and that he had never stirred out till five days afterwards, viz. the 6th of March.—After some deliberation, a verdict of *Not Guilty* was returned.

MURDER.

On Friday, *James Fallon* was put to the Bar, charged with having so injured, by beating Mary, his wife, that she died in consequence. It appeared that the prisoner, who had served in a marching regiment, had, in consequence of wounds and long service, been admitted an out-pensioner of Chelsea College; that he lately took a cellar in the neighbourhood of the College, where he resided. On the day mentioned in the indictment, the prisoner was out drinking; when he came home he had more liquor, and became extremely boisterous, which his wife and another woman observing, entreated him to go to bed, but he insisted on having more liquor; his wife having expostulated with him, and refusing to let him have any more, he attacked her in the most brutal manner, beat her, knocked her several times down; in short, he used her so barbarously, that she lay on the ground almost lifeless. All this happened about ten o'clock at night, in the early part of the last month, in the presence of Anne Smith, who frequently made efforts to manage the violence of his temper, till her own life became in imminent danger, as he threatened to use her in the very same way. After he had ceased beating the deceased he went to bed, and when she recovered sufficient strength to be enabled to undress herself, she went to bed also. The next morning she was in a most frightful state. Every assistance was afforded, but after lingering six or seven days more, she died.

On behalf of the prisoner it was stated, that he was drunk, and did not know what he was doing; but that as soon as he discovered the mischief he had committed, he appeared distracted, and expressed the most ardent contrition for what he had done, as well as affection for the deceased.

The Jury, after some deliberation, brought in a verdict of—*Guilty.*

The RECORDER then immediately pronounced that he should be hanged by the neck, on Monday morning next, till he should be dead, and that his body be dissected and anatomized.

CUTTING and MAIMING.

Joseph Baptista Penisa was next put to the bar, charged with maliciously wounding and cutting James Smith. It appeared that the prosecutor was passing through Wapping, and having hastily passed the prisoner, and hit against him, the latter immediately drew a knife, followed the prosecutor several yards, and stabbed at his face or neck. The knife, however, missed the neck, and the prosecutor's face, from his chin to his ear, was dreadfully lacerated. The defence of the prisoner merely went to shew that the prosecutor had first assaulted him; but that was not proved. On the contrary, it appeared that no provocation whatsoever was given to the prisoner. The Jury retuned a verdict of Guilty—*Death.*—After the Jury had delivered their verdict, they earnestly recommended the prisoner to the merciful consideration of the higher powers.

ACCIDENTS, OFFENCES, &c.

On Saturday week a remarkable circumstance occurred in the Justice-Room of the Lord Mayor's residence. An old man, charged with severely beating his wife, was ordered to stand committed for want of sureties for his good behaviour, when, in a paroxym of passion, he drew a large knife from his pocket, with which he instantly cut his throat. The officers seized the knife as soon as possible, and prevented him separating his windpipe; but the wound was of considerable depth, and he appeared a most horrid spectacle. The Lord Mayor ordered him to be conveyed to an adjoining room, where a Surgeon attended, and sewed up the aperture. The unfortunate man was then conveyed to the Hospital. His life is not supposed to be in danger.

An inquisition was held on Friday, on the body of Mr. Clark, a respectable tradesman in Newgate-street, who died on Thursday morning. The deceased, with two friends, had paid an afternoon's visit to another friend at Walham Green, whose house they left in a single horse chaise at five o'clock, having drank rather freely. The deceased was driving, and at Carotine-place, within a few yards of Queen's Elm Turnpike, he ran the vehicle against a post, and the road being always uneven at that spot, it was overturned, and the three persons thrown out. The fracture the deceased received was the cause of his death, and he never spoke after the accident.—Verdict, *Accidental Death.*

A similar accident happened to Mrs. Solbey, of Coram-street, on Wednesday. The lady and her husband were returning home from Edmonton, in a tandem, at night, and on entering Islington, the vehicle was driven against a coal waggon with considerable velocity, and it was broken in pieces, and the wheel horse killed. Mrs. Solby was most shockingly mangled, and although she yet survives, small hopes are entertained of her recovery.

DEATHS.

On Tuesday last, in Great Portland-street, Mr. Henry Revell, printer, aged 66.

On the 27th Feb. in the 108th year of his age, John Cowie, bellman, at Crimond, Scotland. In his youth he fought the battles of his country by sea and land, and was discharged as worn out in the year 1739; but again took up arms in the memorable year of Culloden. As he advanced in life, a considerable variation was observed in the use which he had of his faculties. For some time he was under the necessity of using spectacles again, but during the last few years of his life he could read the smallest print without them. He discharged the duties of his office till within ten days of his death.—He had two daughters (twins) by his last wife, whom he married when he was 70 years of age.

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